

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

MAR 31 2011

CLERK, U.S. DISTRICT COURT
By _____ Deputy _____

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JAMES C. SEIBERT,

§

Plaintiff,

§

VS.

§

NO. 4:09-CV-090-A

§

MICHAEL J. ASTRUE, COMMISSIONER
OF SOCIAL SECURITY,

§

Defendant.

§

ORDER

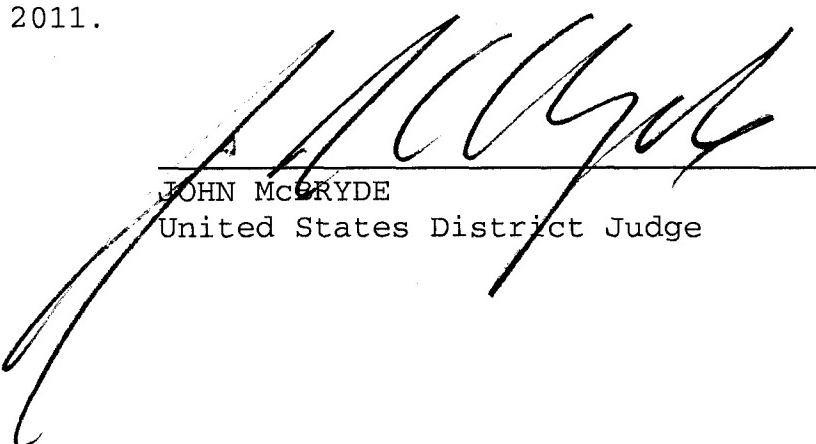
On June 14, 2010, the United States Magistrate Judge issued his proposed findings and conclusions and his recommendation in the above-referenced case. The recommendation is that the final decision of defendant, Michael J. Astrue, Commissioner of Social Security ("Commissioner"), that plaintiff, James C. Seibert, "is not entitled to a period of disability and Disability Insurance Benefits under Sections 216(i) and 223, respectively, of the Social Security Act," and "is not eligible for Supplemental Security Income payments under Section 1614(a)(3)(A) of the Social Security Act,"¹ be reversed and that plaintiff's claims be remanded for further proceedings. Neither party filed objections. After a thorough study of the record, the Magistrate Judge's proposed findings and conclusions, and applicable legal

¹The quoted language is from the decision of the administrative law judge, Tr. at 27, which became the final decision of the Commissioner, *id.* at 7.

authorities, the court has decided to adopt the Magistrate Judge's proposed findings and conclusions and to accept his recommendation. Therefore,

The court ORDERS that the final decision of the Commissioner be, and is hereby, reversed, and that plaintiff's claims be, and are hereby, remanded to the Commissioner for further proceedings consistent with the findings and conclusions of the Magistrate Judge.

SIGNED March 31, 2011.



JOHN McDYDE
United States District Judge